



# Privacy Notice for Parents and Pupils – How we use your information

## 2022/2023

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### Who are we?

All Saints CE Primary School & Nursery is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

All Saints CE Primary School & Nursery is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: [Z7141040](#)

You can contact the school's Data Controller in writing at:

All Saints CE Primary School & Nursery, Knebley Crecent, Nuneaton. CV10 7AT

Email: [admin3101@welearn365.com](mailto:admin3101@welearn365.com)

### What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

### What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

### What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.

## **Why do we use personal information?**

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils

## **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

## **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

### **1) To comply with the law**

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

### **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

#### **4) To perform a public task**

It is a day-to-day function of the school to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

#### **Special category personal information**

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

#### **Who might we share your information with?**

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- contact information is shared with Iris who support [www.myedschoolapp.com](http://www.myedschoolapp.com) so that we can contact you by text or email, and you can pay for school goods on line.
- Education Professionals who have been asked to support or assess your child ie Educational Psychologist, Specialist Teacher Services, Children's Counsellors, Speech & Language professionals, School Nursing etc.
- Sports Coaches work with the school to provide lessons and after school clubs.

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

#### **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

#### **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

### **How long do we keep your information for?**

In retaining personal information, All Saints CE Primary School complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which All Saints CE Primary School are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **What are your rights with respect of your personal information?**

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

**\*\*Please ensure you specify which school your request relates to.**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Review**

The content of this Privacy Notice will be reviewed in January 2024

**Table 1** – Personal information we are required to process to comply with the law:

<b>Information Type</b>	<b>Relevant legislation</b>	<b>Special Category– additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Admissions and Attendance Registers for every pupil	Education (Pupil Registration England) Regulations 2006 Regulation 4,10,11,14,15,1, 2	Preserve every entry in the admissions register for a period of 3 years after the date it was first made.	<p>Inspection by HM Chief Inspector of Education or by a LA Officer authorised for the purpose.</p> <p>Persons authorised to inspect register at Regulation 10 is permitted to make extracts from the register.</p> <p>Every School is to provide the LA with the full name and address of every registered pupil of compulsory school age who fails to attend school regularly (Regulation 12)</p>	Legal Obligation for all information in this table
	Regulation 15	When the admissions register is kept by means of a computer, to make a back up copy of each at least once a month in the form of an electronic or printed file.		Legal Requirement
Common Transfer File	Education (Pupil Information) England Regulations		When a pupil ceases to be registered at a school and	Legal Requirement

	2005 (6)		becomes registered at a new school, to transfer the pupils Common Transfer File to the new school.	
Curriculum Record	Education (Pupil Information) England, Regulations 2005 (4)		To keep a curricular record (academic results, skills and progress), updated at least once every school year for every pupil who is registered at the school	Legal Requirement
Educational Record	Education (Pupil Information) England, Regulations 2005 (5)		Make the pupils Educational Record available for inspection by the parent free of charge (the school reserves the right to charge if a copy is required to take away)	
	Education (Pupil Information) England Regulations 2005 (6)		When a pupil ceases to be registered at the school and becomes registered at a new school, to transfer the pupils Educational record to the new school.	
Pupil Information	Schools maintained by the LA to provide to LA or Secretary of State upon request any pupil information referred to in Schedule 1 of	Education (Information About Individual Pupils) England Regulations 2013 Regulation 3	Local Authority	

	the regulations.			
SEN Report (Special Educational Needs)	To prepare a SEN report (This may include obtaining and sharing of information	Children & Families Act 2014 Section 29	LA Specialist Teams	

**Other duties upon Local Authorities, which can only be adequately discharged where, Schools obtain/share information with the Local Authority.**

<b>Type of Information</b>	<b>Purpose/Indirect Duty</b>	<b>Relevant Law/Lawful basis for processing</b>
Attendance Information	Provide attendance information to the LA so that the councils duties in relation to Education Supervision Orders can be met	Education Act 1996, Section 444
Education Supervision Orders	Provide Information to Local Authority in relation to Education Supervision Orders	Children's Act 1989, Section 36
Exclusion	Provide information to the LA in relation to pupils excluded from school so that they Council may establish review panels.  Provide information to prescribed persons in relations to pupils excluded from school.	Education Act 1996 Section 51A  Education Act 2002 Section 51A
Information relating to the LA or any maintained school by the authority	Allow Inspector of schools to inspect or take copies of any records kept by, and any other information relating to, the LA or any school maintained by the authority	Education Act 2002 Section 180
Information relating to persons who/are/have been qualified workers or qualifying trainees	Provide information to Secretary of state or any 'prescribed person' information relating to person who/have been qualifying workers or qualifying trainees (anyone employed at or working for a school)	Education Act 2005 Section 114
Information Relating to the school or provision of education for pupils	Allow Chief Inspection to inspect, and take copies of any other documents containing information relating to the school or the provision of education for pupils	Education Act 2005 Section 10
Pupil Information	Duty of governing body to supply individual pupil information to (a) Secretary of	

	State, and (b) any prescribed person within the act	
Qualifying Complaint	Where a qualifying complaint is made to the Chief Inspector with such information as the Inspector requests to investigate such a complaint	Education Act 2005 Section 11B
Safeguarding and Promoting Welfare of pupils	<p>To ensure that functions of school are exercised with a view to safeguarding and promoting welfare of pupils</p> <p>Provide information to Local Authority to assist with safeguarding and welfare of children</p> <p>Provide information to the LA to assist with its duties where a child is suffering from or likely to suffer significant harm</p> <p>Provide information/assist to the Secretary of State in any matter connected with its functions/functions of local safeguarding boards</p> <p>Provide information to enable the LA to safeguard and promote welfare of children within the requirements of the act</p>	<p>Education Act 2002 Section 175</p> <p>Children's Act 1989 Section 17</p> <p>Children's Act 1989 Section 47</p> <p>Children's Act 1989 Section 83</p> <p>Children's Act 2004, Section 11</p>
School Attendance Order	Provide information to the Local Authority in relation to pupils and parents in order to begin procedures for issuing a school Attendance Order	Education Act 1996 Section 437A
Special Educational Needs	Provide information in relation to pupils with special educational needs	Education Act 1996 Section 137
Suitable Education	<p>Not received due to illness or exclusion: Provide information to the Local Authority regarding pupils who by reason of illness, or exclusion may not for any period of time receive suitable education unless such arrangements are made for them</p> <p>Not received for any other reason: Provide information to the Local Authority to identify children residing in the area who are not receiving suitable education</p>	<p>Education Act 1996 Section 19</p> <p>Education Act 1996 Section 426A</p>

**Table 2** – Personal information we are required to process as it is necessary to protect someone's vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Safeguarding and Welfare Information of pupils	<p>Education Act 2002, Section 175</p> <p>Children's Act 1989 Section 17, 47, 83</p> <p>Children's Act 2004, Section 11</p> <p>Safeguarding and promoting Welfare of Pupils</p>	LA, Local Safeguarding Boards, Police	<p>To ensure that functions of the school are exercised with a view to safeguarding and promoting welfare of pupils</p> <p>Provide information to Local Authority to assist with safeguarding and welfare of children. Provide information to LA to assist with its duties where a child is suffering from or likely to suffer significant harm</p> <p>Provide information/assistance to the Secretary of State in any matter connected with their functions of local Safeguarding Boards.</p> <p>Provide Information to enable LA to safeguard and promote welfare of children within the requirements of the act</p>
Name, Date of Birth, Medical Conditions/History	Necessary for the preventive or occupational medication or for reasons of public health ie emergency medical treatment	NHS Emergency Services	Emergency Medical help

**Table 3** - Personal information we are required to process with the consent of the individual to whom that information 'belongs'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Names and email addresses	Consent from the data subject	Iris – myedschoolapp (Parent Pay)	To enable us to keep people updated on school information relating to their children.  Give parents to opportunity to pay for goods online ie school meals, uniform and school trips
Names & Year Groups		Tempest Photography	To provide parents with service – school photos
Names		School Website	Promoting children's achievements
Names & Dates of Birth		Sonar (Target Tracker)	To assess children's progress in school.

**Table 4** - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing